

Exhibit "B"

Weiner, Barry (ENRD)

From: Weiner, Barry (ENRD)
Sent: Thursday, March 08, 2007 3:42 PM
To: 'David Henkin'
Cc: Gette, James (ENRD)
Subject: RE: Update?

David,

Thanks, the baby is doing a little better, although I could use more sleep. As for the Army, its position remains as communicated to you in Jim's letter. The Army intends to abide Judge Ezra's Order and meet its obligations under the Federal Rules of Civil Procedure. The Army will not agree to anything beyond that. I am speaking with the Army tomorrow about dates for provision of the periodic reports and will have more info on a schedule after speaking with the Army.

Barry

-----Original Message-----

From: David Henkin [mailto:dhenkin@earthjustice.org]
Sent: Thursday, March 08, 2007 3:33 PM
To: Weiner, Barry (ENRD)
Subject: RE: Update?

How's the kid? What's the Army's position?

David L. Henkin
Earthjustice
223 South King St., Suite 400
Honolulu, Hawai'i 96813
Tel.: (808) 599-2436, ext. 14
Fax: (808) 521-6841
www.earthjustice.org

-----Original Message-----

From: Weiner, Barry (ENRD) [mailto:Barry.Weiner@usdoj.gov]
Sent: Wednesday, March 07, 2007 12:38 PM
To: David Henkin
Subject: Re: Update?

David,

I am home with a sick baby. I will address these issues with the army tomorrow

Sent from my BlackBerry Wireless Handheld

Sent Using U.S. DOJ/ENRD BES Server

----- Original Message -----

From: David Henkin <dhenkin@earthjustice.org>
To: Weiner, Barry (ENRD)
Sent: Wed Mar 07 15:59:14 2007
Subject: Update?

Barry,

What is the Army's position on updating us should it determine it needs to conduct Stryker training other than the training disclosed in its prior discovery responses? Also, when does the Army propose reporting on the mitigations required under the Dec. 29 order?

Aloha, David

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